

UNITED STATES DISTRICT COURT

HELENA DIVISION, DISTRICT OF MONTANA

2010 AUG 17 AM 11 22

STANLEY E. DUFFY, CLERK

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

MJ 10- 06 -H- RMH

v.

SHAWN MATTHEW RUSSELL

COERCION & ENTICEMENT

18 U.S.C. § 2422(b)(Count I)

Penalty: Mandatory minimum 10 years to life imprisonment, \$250,000 fine, and 5 years to lifetime supervised release

TRANSPORTATION OF A MINOR

WITH INTENT TO ENGAGE IN

CRIMINAL SEXUAL ACTIVITY

18 U.S.C. § 2423(a) (Count II)

Penalty: Mandatory minimum 10 years to life imprisonment, \$250,000 fine and 5 years to lifetime supervised release

TRAVEL WITH INTENT TO ENGAGE

IN ILLICIT SEXUAL CONDUCT WITH A MINOR

18 U.S.C. § 2423(b) (Count III)

Penalty: Up to 30 years imprisonment, \$250,000 fine and 5 years to lifetime supervised release

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief:

COUNT I: That from approximately September 2009 through December 2009, in Helena, in the State and District of Montana, and elsewhere, the defendant, SHAWN MATTHEW RUSSELL, using any facility or means of interstate or foreign commerce, knowingly persuaded, induced, enticed or coerced any individual who had not attained the age of 18 years to engage in any sexual activity for which any person can be charged with a criminal offense, that is, MCA § 45-5-503, Sexual Intercourse Without Consent, in violation of 18 U.S.C. § 2422(b).

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COUNT II: That in approximately December 2009, in Helena, in the State and District of Montana, and elsewhere including Oregon and Washington, the defendant, SHAWN MATTHEW RUSSELL, knowingly transported an individual who had not attained the age of 18 years in interstate or foreign commerce, with intent that the person engage in any sexual activity for which any person can be charged with a criminal offense, that is, MCA § 45-5-503, Sexual Intercourse Without Consent, in violation of 18 U.S.C. § 2423(a).

COUNT III: That in approximately December 2009, in Helena, in the State and District of Montana, and elsewhere including Oregon and Washington, the defendant, SHAWN MATTHEW RUSSELL, traveled in interstate commerce for the purpose of engaging in any illicit sexual conduct, that is, MCA § 45-5-503, Sexual Intercourse Without Consent, in violation of 18 U.S.C. § 2423(b).

I further state that I am a Detective with the Helena Police Department currently assigned to the Montana Internet Crimes Against Children Task Force and a Special Deputy U.S. Marshal and that this complaint is based on the following facts:

see attached affidavit

(X) Continued on the attached sheet and made a part hereof

August 17, 2010  
Date

United States  
Robert M. Holter, Magistrate Judge  
Name and Title of Judicial Officer

BD. Fink  
Signature of Complainant

Great Falls, Montana  
City and State

[Signature]  
Signature of Judicial Officer

## **AFFIDAVIT OF Bryan Fischer**

(Continued from Criminal Complaint)

Affiant is a Detective with the Helena Police Department currently assigned to the Montana Internet Crimes Against Children Taskforce and a Special Deputy U.S. Marshal with the U.S. Marshal's Service.

In June 2010, I received a report from the Pendleton Police Department that Helena resident Shawn Matthew Russell, age 23, had met an underage girl via the internet, developed a sexual relationship with her, and both traveled to have sex with her and transported her across state lines for sexual activity. The fifteen year old girl reported that she met Russell in an on-line game via the internet in approximately September 2009. The girls' mother, utilizing a web cam, communicated with Russell and told Russell via web cam to stay away from the girl, as she was not of majority age. However, the two continued contact through text messages via cell phone, web cam via computer and the internet and other means. Russell used those means or facilities of interstate commerce for the purpose of persuading, inducing, enticing or coercing the teen into sexual activity which was illegal due to the girl's

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age. The fifteen year old girl reported the conversations between she and Russell were sexual in nature and included conversations about engaging in sexual activity with Russell knowing the girl was only fifteen years of age. In December 2009, Russell traveled to Oregon where he picked the girl up close to her home and the two traveled to local motel in the girl's hometown and they had sexual intercourse. The following day, Russell transported the girl from Oregon to Washington and again obtained a motel room and the two engaged in sexual intercourse. The next day, Russell traveled to Montana with the fifteen year old girl, spending the evening in two Montana cities, obtaining hotel rooms and engaging in sexual intercourse. Eventually, Russell and the fifteen year old female arrived in Helena where Russell's mother learned of the girl's presence and arranged for her to fly back home to Oregon to her family.

At all times, the girl was incapable of consent due to her age. In follow-up emails, Russell expressed that he had no regrets about what had happened, and that her age of 15 didn't matter to him. Law enforcement officers verified Russell's use of a credit card and cash payments for the travel and hotel stays that he used when traveling to meet the girl and transporting her for sexual activity.

Law enforcement officers have been able to identify Russell's

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A handwritten signature in black ink, appearing to be 'LW' or similar, located in the bottom right corner of the page.

identity through positive identification of a driver's license photo by the fifteen year old girl and her mother. Russell's home address has also been verified. Law enforcement officers also verified Russell asked for reimbursement for the airline travel of the fifteen year old girl back to Oregon.

Law enforcement officers have learned through communication between Russell and the fifteen year old girl, about Russell's interest in not being arrested and rather "getting gunned down by cops is preferable" referring to law enforcement officers being forced to shoot Russell upon taking him into custody. Law enforcement also has found Russell has posted information on his Facebook as of August 16, 2010 account that Russell is "trigger happy" and "If you need anyone, or yourself shot, I offer better prices than my next 14 ½ leading competitors! Get dead."

**In Affiant's experience, the above listed facts constitute violations of Title 18 United States Code Sections 2422(b), 2423(a) and 2423(b).**

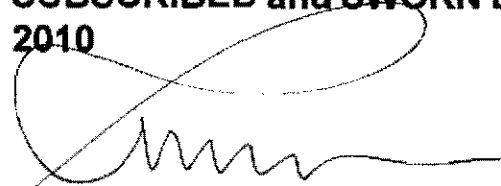
**DATED this 17 day of August 2010.**



**Bryan Fischer**  
**Helena Police Department**  
**Special Deputy U.S. Marshal**



SUBSCRIBED and SWORN before me this 17<sup>th</sup> day of August  
2010

A handwritten signature in black ink, appearing to read 'Robert M. Holter', written over a horizontal line.

Robert M. Holter  
U.S. Magistrate Judge